

REMARKS

The Non-Final Office Action, mailed June 29, 2007, considered claims 1–40. Claims 1–40 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement, in that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1–40 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1–29, 32, and 34 were rejected under 35 U.S.C. § 102(b), as being anticipated by Berman et al., U.S. Patent No. 5,710,832 (filed Dec. 8, 1995) (hereinafter Berman). Claims 30–31, 33 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Berman, in view of Loudon et al., U.S. Patent Pub. No. 2003/0190074 (filed Apr. 7, 2003) (hereinafter Louden).¹

By this response, claims 1–11, 13–15, 23–25, 27–33 are amended. Claims 12, 16, 26, and 35–40 have been cancelled. Claims 1–11, 13–15, 23–25, 27–34 remain pending. Claims 1 and 23 are independent claims which remain at issue. Support for the amendments may be found within Specification pp. 3–5, 15–17, 22, 26–27, and 31.²

As reflected in the claims, the present invention is directed generally toward embodiments for personalization and training of handwriting recognition. Claim 1 recites, for instance, in combination with all the elements of the claim, a computer system which comprises an ink service engine for receiving ink and storing collected ink and a harvesting service engine for collecting text. The system also includes a trained data engine for storing trained data from trainer clients and a component having interfaces for personalizing a handwriting recognizer with data authored by a user. Finally, the system includes a trainer coupled to the component for training the handwriting recognizer with the data.

Claim 23 recites, in combination with all the elements of the claim, a method for personalizing handwriting recognition. The method comprises steps for collecting data authored

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

by a user for personalizing handwriting recognition and storing the collected data in a database. The method also includes steps for collecting handwritten ink, training a handwriting recognizer using the stored data and collected handwritten ink, and for storing the trained data in a database.

Berman, cited in the 35 U.S.C. § 102 rejections of the independent claims, is also related to recognition of handwriting. However, Berman fails to teach each and every element of the present invention as claimed and Berman fails to teach the particular elements of the present claims arranged as required by the claims.

Claim Rejections Under 35 U.S.C. § 112:

Claims 1–40 were rejected under 35 U.S.C. § 112 for failing to comply with the enablement requirement. The claims have now been amended to cure these rejections. In particular, “persistent” storage has been amended to recite nonvolatile storage or has been amended, as appropriate, to recite a database. However, the Applicants submit that persistent, taken with its ordinary meaning, is supported by the Specification. Claim 16 has been cancelled. Storing ink persistently has been appropriately amended to recite storing in a database or storing in nonvolatile storage.

Claims 23–34 were rejected under 35 U.S.C. § 112 as being indefinite because the “step uses ‘for’ language which is not indicative of any action taking place and is therefore indefinite.” the Applicants, however, respectfully submit that 35 U.S.C. § 112 specifically authorizes “step for” language in claims by reciting “An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof”³ The steps of claim 23 did, indeed, recite specified functions (i.e., collecting, storing, etc.) and should therefore comport with 35 U.S.C. § 112. The Applicants submit that independent claim 23 is in proper “step for” language and is therefore sufficiently definite for purposes of 35 U.S.C. § 112.

Claims 1–22 were rejected under 35 U.S.C. § 112 as being indefinite because of the “operably coupled” language. The claims have now been amended to cure the rejection. However, the Applicants submit that “operably coupled” is language commonly used within a claim and recites the relationship between elements which are coupled in their operation.

³ See 35 U.S.C. § 112, sixth paragraph.

Additionally, references within the claims to "data" which were considered indefinite have been amended to more particularly point out which data is being referred to.

Claim Rejections Under 35 U.S.C. § 102:

Claim 1 was rejected under 35 U.S.C. § 102 as being anticipated by Berman. Although Berman is directed toward related technology of handwriting recognition, the Applicants submit that Berman fails to teach each and every element of claim 1 as now amended and Berman fails to teach the elements of claim 1 arranged as required by the claim.

In particular, *inter alia*, Berman fails to teach a computer system which comprises an ink service engine for receiving ink and storing collected ink. Berman fails to teach a harvesting service engine for collecting text. Berman fails to teach a trained data engine for storing trained data from trainer clients. And Berman fails to teach a trainer coupled to the component for training the handwriting recognizer with the data authored by the user and the collected ink. Further, Barman fails to teach each and every element of the claim arranged as required by the claim.

Because Berman fails to teach each and every element of claim 1 as now amended and Berman fails to teach the elements of claim 1 arranged as required by the claim, the Applicants request the rejection be withdrawn. The Applicants further respectfully request the favorable reconsideration of claim 1.

Claim 23 was rejected under 35 U.S.C. § 102 as being anticipated by Berman. The Applicants now submit, however, that Berman fails to teach each and every element of claim 23 as now amended and Berman fails to teach the elements of claim 23 arranged as required by the claim.

In particular, *inter alia*, Berman fails to teach steps for collecting data authored by a user for personalizing handwriting recognition. Berman fails to teach a step for storing the collected data in a database. Berman fails to teach a step for collecting handwritten ink. Berman fails to teach a step for training a handwriting recognizer using the stored data and collected handwritten ink. And, Berman fails to teach a step for storing trained data in a database, the trained data being the results of training and the trained data being used by the recognizer. Further, the Applicants submit that Barman fails to teach each and every element of the claim arranged as required by the claim.

Because Berman fails to teach each and every element of claim 23 as now amended and Berman fails to teach the elements of claim 23 arranged as required by the claim, the Applicants request the rejection be withdrawn. The Applicants further respectfully request the favorable reconsideration of claim 23.

Claims 12, 16, and 35-40 have been cancelled. The remaining claims have been amended where appropriate to be placed in conformity with the newly amended independent claims.

In view of the foregoing, Applicants respectfully submit that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 28th day of September, 2007.

Respectfully submitted,



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